

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

BRADBURY P , BURNS P , GiaQUINTA P ,  
HENRY P , LONG P , REDD P ,  
SCHMIDT P , STIER P , TALARICO P ,

SPECIAL \_\_\_\_\_ 19 \_\_\_\_\_

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,  
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 9th day of February, 1988, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 10th day of February, 1988.

DEK.  
SANDRA E. KENNEDY, CITY CLERK





# The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

2 February 1988

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-88-01-21

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
2nd day of February 1988.

Robert Hutner  
Secretary

An Equal Opportunity Employer

One Main Street, Fort Wayne, Indiana 46802

# FACT SHEET

Z-88-01-21

BILL NUMBER

## Division of Community Development & Planning

**BRIEF TITLE**

Zoning Ordinance Amendment

**APPROVAL DEADLINE****REASON**

From R-1 to POD

**DETAILS****Specific Location and/or Address**

2606 Lake Avenue

**Reason for Project**

Professional Office Development

**Discussion (Including relationship to other Council actions)**25 January 1988 - Public Hearing

Steven Spindler, Attorney representing Dr. Borenstein, who has an option to purchase the property appeared before the Commission. Mr. Spindler stated that the Dr. Borenstein wanted to construct a building to house his practice of plastic surgery. He stated that the staff apparently approved of the use.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

2 February 1988 - Business Meeting

Motion was made by Yvonne Stam to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the eight member present seven (6) voted in favor of the recommendation two (2) members abstained.

NOTE: A preliminary development plan has been conditionally approved for this property by the Plan Commission.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**Applicant(s)  
Jennie Huber / Richard Long/  
Edward Long  
City Department

Other

**Opponents**

Groups or Individuals

Basis of Opposition

**Staff  
Recommendation**☒ For ☐ Against

Reason Against

**Board or  
Commission  
Recommendation**

By

☒ For ☐ Against  
☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**☐ Pass ☐ Other  
☐ Pass (as amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass



**DETAILS**

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

**Project Start**

**Date** 16 December 1987

**Projected Completion or Occupancy**

**Date** 2 February 1988

**Fact Sheet Prepared by**

Patricia Biancaniello

**Date** 2 February 1988

**Reviewed by**

*Greg Bacter*  
Reference or Case Number

**Date**

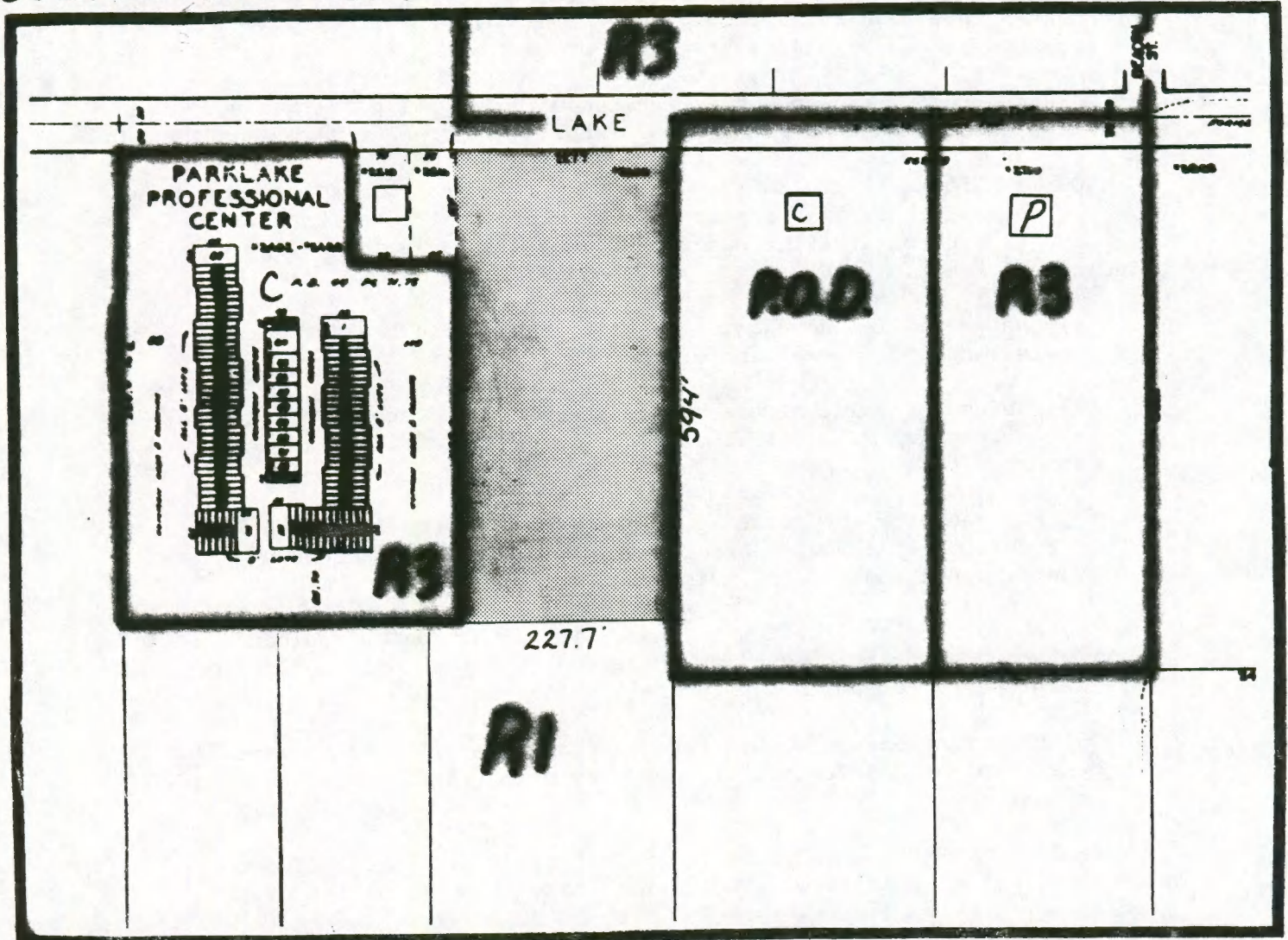
*February 3, 1988*

# REZONING PETITION #322

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R-1 DISTRICT TO A P.O.D. DISTRICT.

MAP NO. Q-10

COUNCILMANIC DISTRICT NO. 2



## ZONING:

R1 RESIDENTIAL DISTRICT  
R3 RESIDENTIAL DISTRICT  
P.O.D. PROFESSIONAL OFFICE DISTRICT

## LAND USE:

☐ SINGLE FAMILY  
☒ COMMERCIAL  
☒ PUBLIC WATER TREATMENT PLANT

SCALE: 1"=200'

DATE: 1-4-88





RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 26, 1988 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-88-01-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 25, 1988.

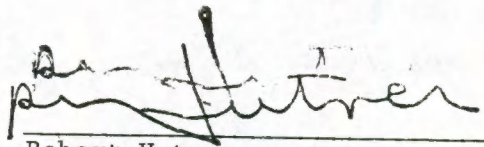
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 1, 1988.

Certified and signed this  
2nd day of February 1988.

  
\_\_\_\_\_  
Robert Hutner  
Secretary

Violette Wysong, attorney for Jennie Huber, Edward F. and Richard J. Long, requests a change of zone from R-1 to P.O.D.

Location: 2606 Lake Ave.

Legal: See File

Land Area: Approximately 3.1 Acres

Zoning: R-1

Surroundings:	North	R-3	Office & residential
	South	R-1	Treatment plant
	East	P.O.D.	future Office development
	West	R-3	Offices (BZA approved)

Reason for Request: Professional Office Development

Neighborhood Assoc.:

Landscape: No comment received.

Neighborhood Plan: No comment.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods. Professional office uses for this section of Lake Avenue are consistent with the Comprehensive Plan.

Planning Staff Discussion:

The Lake Ave. corridor has been the subject of land use changes over the last three to four years. The desirability of the area for residential uses has lessened due to traffic volumes and other adverse impacts. While the area immediately north has still preserved its residential qualities, the parcels abutting Lake Ave. have undergone change.

As preservation of property values, and the integrity of residential life have always been an utmost concern, we feel that this site is highly suitable for POD development. With the immediate uses and/or zoning designations indicating the



acceptability of office use, and the limitation of the treatment plant to the south, this parcel is no longer suited for residential development. Approval of this petition will assist in buffering the existing residential use to the north from the intrusion of the Lake Avenue developments.

Recommendation:        Approval

- 1) Approval will assist in the preservation of property values.
- 2) Approval will be consistent with the established character of the immediate area, and will not deviate from acceptable growth patterns.

February 3, 1988

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public  
Safety Regulatory Resolution Numbers:

1/88/E	3/88/E	5/88/E
2/88/E	4/88/D	6/88/D

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolution(s) a matter of record and  
incorporate them into the minutes of the next Common Council  
meeting.

Respectfully submitted,

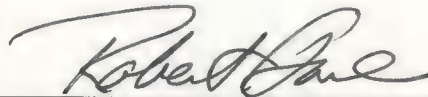
 , Chairman  
Board of Public Safety



R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No.   1/88/E,   2/88/E,  
   3/88/E,   4/88/D,  
   5/88/E,   6/88/D

I hereby certify that I did this 3rd. day of February, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 1/88/E, 2/88/E, 3/88/E, 4/88/D, 5/88/E, 6/88/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



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CHAIRMAN, BOARD OF PUBLIC SAFETY

(Adopted February 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

NO PARKING (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 26, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

February 3, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Hanna Street

--Both Sides--

From Tillman Road  
to the South City  
Limits



(Adopted February 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

NO PARKING (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 26, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

February 3, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Van Buren Street

--East Side--

From Jefferson  
Boulevard to 180'  
South thereof

(Adopted February 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

STOP INTERSECTION (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 26, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

February 3, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION

(EMERGENCY)

Van Buren Street  
Nelson Street

--Stop--  
--Stop--

For Lavina Street  
For Stophlet Street



(Adopted February 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to \_\_\_\_\_

DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 26, 19 88, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

February 3, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

Lavina Street	--Preferential--	at Van Buren Street
Stophlet Street	--Preferential--	at Nelson Street

REGULATORY RESOLUTION NO.      5/88/      E

(Adopted February 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

## STOP INTERSECTIONS (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 26, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

February 3, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

## STOP INTERSECTIONS

(EMERGENCY)

Holton Avenue  
Lillie Street  
Winter Street

Stop  
Stop  
Stop

for Colerick Street  
for Colerick Street  
for Colerick Street



(Adopted February 3, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to \_\_\_\_\_

DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 26, 19 88, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

February 3, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

Colerick Street	--Preferential--	at Holton Avenue
Colerick Street	--Preferential--	at Lillie Street
Colerick Street	--Preferential--	at Winter Street

February 10, 1988

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

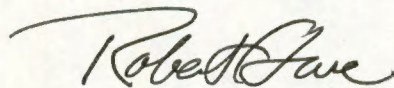
Attached herewith are authenticated copies of the Board of Public  
Safety Regulatory Resolution Numbers:

7/88/D

8/88/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolution(s) a matter of record and  
incorporate them into the minutes of the next Common Council  
meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert J. Fave".

, Chairman  
Board of Public Safety



R E T U R N    C E R T I F I C A T E

(Regulatory Resolution No. 7/88/D, 8/88/E,

I hereby certify that I did this 10th. day of February, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 7/88/D, 8/88/E, of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



---

CHAIRMAN, BOARD OF PUBLIC SAFETY



(Adopted February 10, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to \_\_\_\_\_

NO PARKING (TEMPORARY)

(DELEGATED)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 4, 19 88, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

February 10, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY)

(DELEGATED)

Birchwood Avenue

--Both Sides--

From Reynolds Street  
to 70' South thereof



REGULATORY RESOLUTION NO. 8/88 /E

(Adopted February 10, 19 88 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to \_\_\_\_\_

NO PARKING (EMERGENCY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 4, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

February 10, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY) (EMERGENCY)

Reynolds Avenue

--North Side--

From 220 Ft. east of  
Edsall Avenue to  
190' east of  
Birchwood Avenue